

NOTICE OF INTENT

Department of Environmental Quality
Office of Environmental Assessment
Environmental Planning Division

Correction to 2001 IBR of 40 CFR Parts 60, 61, and 63
(LAC 33:III.3003, 5116, 5122, and 5311) (AQ229*)

Under the authority of the Environmental Quality Act, R.S. 30:2001 et seq., and in accordance with the provisions of the Administrative Procedure Act, R.S. 49:950 et seq., the secretary gives notice that rulemaking procedures have been initiated to amend the Air regulations, LAC 33:III.3003, 5116, 5122, and 5311 (Log #AQ229*).

This proposed rule is identical to federal regulations found in 40 CFR 60, 61, and 63, July 1, 2001, which are applicable in Louisiana. For more information regarding the federal requirement, contact the Regulation Development Section at (225) 765-0399 or Box 82178, Baton Rouge, LA 70884-2178. No fiscal or economic impact will result from the proposed rule; therefore, the rule will be promulgated in accordance with R.S. 49:953.F.(3) and (4).

This rulemaking corrects inadvertent errors made in earlier rulemaking to update the incorporation by reference (IBR) of 40 CFR Parts 60, 61, and 63. Earlier IBR rulemaking did not list new additions to the *Code of Federal Regulations*, July 1, 2001. Additional changes are included to follow the IBR rulemaking procedure. The basis and rationale for this rule are to mirror the federal regulations, with the exception of 40 CFR 63, Subpart S.

This proposed rule meets an exception listed in R.S. 30:2019.D.(2) and R.S. 49:953.G.(3); therefore, no report regarding environmental/health benefits and social/economic costs is required. This proposed rule has no known impact on family formation, stability, and autonomy as described in R.S. 49:972.

A public hearing will be held on September 24, 2002, at 1:30 p.m. in the Maynard Ketcham Building, Room 326, 7290 Bluebonnet Boulevard, Baton Rouge, LA 70810. Interested persons are invited to attend and submit oral comments on the proposed amendments. Attendees should report directly to the hearing location for DEQ visitor registration, instead of to the security desk in the DEQ Headquarters building. Should individuals with a disability need an accommodation in order to participate, contact Patsy Deaville at the address given below or at (225) 765-0399.

All interested persons are invited to submit written comments on the proposed regulations. Persons commenting should reference this proposed regulation by AQ229*. Such comments must be received no later than September 24, 2002, at 4:30 p.m., and should be sent to Patsy Deaville, Regulation Development Section, Box 82178, Baton Rouge, LA 70884-2178 or to FAX (225) 765-0389 or by e-mail to patsyd@deq.state.la.us. The comment period for this rule ends on the same date as the public hearing. Copies of this proposed regulation can be purchased at the above referenced address. Contact the Regulation Development Section at (225) 765-0399 for pricing information. Check or money order is required in advance for each copy of AQ229*.

This proposed regulation is available for inspection at the following DEQ office locations from 8 a.m. until 4:30 p.m.: 7290 Bluebonnet Boulevard, Fourth Floor, Baton Rouge, LA 70810; 1823 Highway 546, West Monroe, LA 71292; State Office Building, 1525 Fairfield Avenue, Shreveport, LA 71101; 3519 Patrick Street, Lake Charles, LA 70605; 201 Evans Road, Building 4, Suite 420, New Orleans, LA 70123; 111 New Center Drive, Lafayette, LA 70508; 104 Lococo Drive, Raceland, LA 70394 or on the Internet at <http://www.deq.state.la.us/planning/regs/index.htm>.

James H. Brent, Ph.D.
Assistant Secretary

Title 33 ENVIRONMENTAL QUALITY

Part III. Air

Chapter 30. Standards of Performance for New Stationary Sources (NSPS)

Subchapter A. Incorporation by Reference (IBR)

§3003. IBR 40 *Code of Federal Regulations (CFR) Part 60*

A. Except as modified in this Section, regulations at 40 CFR Part 60, as revised July 1, 2001, and specified below in Tables 1 and 1.A are hereby incorporated by reference as they apply to the State of Louisiana.

Table 1 – Repealed.

| Table 1 40 CFR Part 60 | |
|------------------------------|---|
| 40 CFR Part 60 Subpart | Subpart Heading |
| A | General Provisions |
| B | Adoption and Submittal of State Plans for Designated Facilities |
| C | Emission Guidelines and Compliance Times |
| Ca | Reserved |
| Cb | Emission Guidelines and Compliance Times for Large Municipal Waste Combustors that are Constructed on or Before September 20, 1994 |
| Cc | Emission Guidelines and Compliance Times for Municipal Solid Waste Landfills |
| Cd | Emission Guidelines and Compliance Times for Sulfuric Acid Production Units |
| Ce | Emission Guidelines and Compliance Times for Hospital/Medical/Infectious Waste Incinerators |
| D | Standards of Performance for Fossil- Fuel Fired Steam Generators for Which Construction Is Commenced After August 17, 1971 |

| Table 1 40 CFR Part 60 | |
|---|--|
| 40 CFR Part 60 Subpart | Subpart Heading |
| Da | Standards of Performance for Electric Utility Steam Generating Units for Which Construction Is Commenced After September 18, 1978 |
| Db | Standards of Performance for Industrial Commercial Institutional Steam Generating Units |
| De | Standards of Performance for Small Industrial Commercial Institutional Steam Generating Units |
| E | Standards of Performance for Incinerators |
| Ea | Standards of Performance for Municipal Waste Combustors for which Construction is Commenced after December 20, 1989, and on or before September 20, 1994 |
| Eb | Standards of Performance for Large Municipal Waste Combustors for which Construction is Commenced after September 20, 1994, or for Which Modification or Reconstruction Is Commenced After June 19, 1996 |
| Ee | Standards of Performance for Hospital/Medical/Infectious Waste Incinerators for Which Construction is Commenced after June 20, 1996 |
| F | Standards of Performance for Portland Cement Plants |
| G | Standards of Performance for Nitric Acid Plants |
| H | Standards of Performance for Sulfuric Acid Plants |
| I | Standards of Performance for Hot Mix Asphalt Facilities |
| J | Standards of Performance for Petroleum Refineries |
| K | Standards of Performance for Storage Vessels for Petroleum Liquids for Which Construction, Reconstruction, or Modification Commenced After June 11, 1973, and Prior to May 19, 1978 |

| Table 1 40 CFR Part 60 | |
|---|---|
| 40 CFR Part 60 Subpart | Subpart Heading |
| Ka | Standards of Performance for Storage Vessels for Petroleum liquids for Which Construction, Reconstruction, or Modification Commenced After May 18, 1978, and Prior to July 23, 1984 |
| Kb | Standards of Performance for Volatile Organic Liquid Storage Vessels (including Petroleum Liquid Storage Vessels) for Which Construction, Reconstruction, or Modification Commenced after July 23, 1984 |
| L | Standards of Performance for Secondary Lead Smelters |
| M | Standards of Performance for Secondary Brass and Bronze Production Plants |
| N | Standards of Performance for Primary Emissions from Basic Oxygen Process Furnaces for Which Construction is Commenced After June 11, 1973 |
| Na | Standards of Performance for Secondary Emissions from Basic Oxygen Process Steelmaking Facilities for Which Construction is Commenced After January 20, 1983 |
| O | Standards of Performance for Sewage Treatment Plants |
| P | Standards of Performance for Primary Copper Smelters |
| Q | Standards of Performance for Primary Zinc Smelters |
| R | Standards of Performance for Primary Lead Smelters |
| S | Standards of Performance for Primary Aluminum Reduction Plants |
| T | Standards of Performance for the Phosphate Fertilizer Industry: Wet-Process Phosphoric Acid Plants |
| U | Standards of Performance for the Phosphate Fertilizer Industry: Superphosphoric Acid Plants |

| Table 1 40 CFR Part 60 | |
|---|--|
| 40 CFR Part 60 Subpart | Subpart Heading |
| V | Standards of Performance for the Phosphate Fertilizer Industry: Diammonium Phosphate Plants |
| W | Standards of Performance for the Phosphate Fertilizer Industry: Triple Superphosphate Plants |
| X | Standards of Performance for the Phosphate Fertilizer Industry: Granular Triple Superphosphate Storage Facilities |
| Y | Standards of Performance for Coal Preparation Plants |
| Z | Standards of Performance for Ferroalloy Production Facilities |
| AA | Standards of Performance for Steel Plants: Electric Arc Furnaces Constructed After October 21, 1974 and on or Before August 17, 1983 |
| AAa | Standards of Performance for Steel Plants: Electric Arc Furnaces and Argon Oxygen Decarbonization Vessels Constructed After August 7, 1983 |
| BB | Standards of Performance for Kraft Pulp Mills |
| CC | Standards of Performance for Glass Manufacturing Plants |
| DD | Standards of Performance for Grain Elevators |
| EE | Standards of Performance for Surface Coating of Metal Furniture |
| FF | (Reserved) |
| GG | Standards of Performance for Stationary Gas Turbines |
| HH | Standards of Performance for Lime Manufacturing Plants |
| KK | Standards of Performance for Lead-Acid Battery Manufacturing Plants |

| Table 1 40 CFR Part 60 | |
|---|--|
| 40 CFR Part 60 Subpart | Subpart Heading |
| LL | Standards of Performance for Metallic Mineral Processing Plants |
| MM | Standards of Performance for Automobile and Light Duty Truck Surface Coating Operations |
| NN | Standards of Performance for Phosphate Rock Plants |
| PP | Standards of Performance for Ammonium Sulfate Manufacture |
| QQ | Standards of Performance for the Graphic Arts Industry: Publication Rotogravure Printing |
| RR | Standards of Performance for Pressure Sensitive Tape and Label Surface Coating Operations |
| SS | Standards of Performance for Industrial Surface Coating: Large Appliances |
| TT | Standards of Performance for Metal Coil Surface Coating |
| UU | Standards of Performance for Asphalt Processing and Asphalt Roofing Manufacture |
| VV | Standards of Performance for Equipment Leaks of VOC in the Synthetic Organic Chemicals Manufacturing Industry |
| WW | Standards of Performance for the Beverage Can Surface Coating Industry |
| XX | Standards of Performance for Bulk Gasoline Terminals |
| AAA | Standards of Performance for New Residential Wood Heaters |
| BBB | Standards of Performance for the Rubber Tire Manufacturing Industry |
| CCC | (Reserved) |
| DDD | Standards of Performance for volatile Organic Compound (VOC) Emissions from the Polymer Manufacturing Industry |

| Table 1 40 CFR Part 60 | |
|---|--|
| 40 CFR Part 60 Subpart | Subpart Heading |
| EEE | (Reserved) |
| FFF | Standards of Performance for Flexible Vinyl and Urethane Coating and Printing |
| GGG | Standards of Performance for Equipment Leaks of VOC in Petroleum Refineries |
| HHH | Standards of Performance for Synthetic Fiber Production Facilities |
| III | Standards of Performance for Volatile Organic Compound (VOC) Emissions From the Synthetic Organic Chemical Manufacturing Industry (SOCMI) Air Oxidation Unit Processes |
| JJJ | Standards of Performance for Petroleum Dry Cleaners |
| KKK | Standards of Performance for Equipment Leaks of VOC From Onshore Natural Gas Processing Plants |
| LLL | Standards of Performance for Onshore Natural Gas Processing; SO ₂ Emissions |
| MMM | (Reserved) |
| NNN | Standards of Performance for Volatile Organic Compound (VOC) Emissions From Synthetic Organic Chemical Manufacturing Industry (SOCMI) Distillation Operations |
| OOO | Standards of Performance for Nonmetallic Mineral Processing Plants |
| PPP | Standard of Performance for Wool Fiberglass Insulation Manufacturing Plants |
| QQQ | Standards of Performance for VOC Emissions From Petroleum Refinery Wastewater Systems |

| Table 1 40 CFR Part 60 | |
|---|---|
| 40 CFR Part 60 Subpart | Subpart Heading |
| RRR | Standards of Performance for Volatile Organic Compound Emissions From Synthetic Organic Chemical Manufacturing Industry (SOCMI) Reactor Processes |
| SSS | Standards of Performance for Magnetic Tape Coating Facilities |
| TTT | Standards of Performance for Industrial Surface Coating: Surface Coating of Plastic Parts for Business Machines |
| UUU | Standards of Performance for Calciners and Dryers in Mineral Industries |
| VVV | Standards of Performance for Polymeric Coating of Supporting Substrates Facilities |
| WWW | Standards of Performance for Municipal Solid Waste Landfills |

Table 1.A – Repealed.

| Table 1.A 40 CFR Part 60 Appendices | |
|--|--|
| 40 CFR Part 60 Appendix | Appendix Heading |
| A | Test Methods |
| B | Performance Specifications |
| C | Determination of Emission Rate Change |
| D | Required Emission Inventory Information |
| E | (Reserved) |
| F | Quality Assurance Procedures |
| G | Provisions for an Alternative Method of Demonstrating Compliance With 40 CFR 60.43 for the Newton Power Station of Central Illinois Public Service Company |

| Table 1.A 40 CFR Part 60 Appendices | |
|--|------------------------------------|
| 40 CFR Part 60 Appendix | Appendix Heading |
| H | (Reserved) |
| I | Removable Label and Owner's Manual |

B. - B.4. ...

5. The department's Section 111(d) emission guideline plan, required by the Clean Air Act (CAA), Section 111(d), for Hospital/Medical/Infectious Waste Incinerators includes the following CFR citations: 40 CFR 60.30, 60.30(e), 60.31(e), 60.32(e), 60.33(e), 60.35(e), 60.36(e), 60.37(e), 60.38(e), and 60.39(e). Until the department has a mechanism to approve training programs in compliance with 40 CFR 60.34(e), the department accepts accreditation approved by other states complying with 40 CFR 60.34(e).

6. The department's emission guideline plan, required by the CAA, Section 111(d), for Commercial and Industrial Solid Waste Incineration (CISWI) Units includes 40 CFR 60.2575-60.2630, 60.2640-60.2875, and Tables 1-5. Until the department has a mechanism to approve training programs in compliance with 40 CFR 60.2635, the department shall accept accreditation approved by other states complying with 40 CFR 60.2635.

C. Copies of documents incorporated by reference in this Chapter may be obtained from the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20242 or their website, www.access.gpo.gov/nara/cfr/index.html, the Department of Environmental Quality, Office of Environmental Services, Permits Division, or a public library.

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2054.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Air Quality and Radiation Protection, Air Quality Division, LR 22:1212 (December 1996), amended LR 23:1681 (December 1997), LR 24:1287 (July 1998), LR 24:2238 (December 1998), LR 25:1239 (July 1999), LR 25:1797 (October 1999), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:1607 (August 2000), LR 26:2460 (November 2000), LR 26:2608 (November 2000), LR 27:2229 (December 2001), LR 28:994 (May 2002), LR 28:**.

Chapter 51. Comprehensive Toxic Air Pollutant Emission Control Program

Subchapter B. Incorporation by Reference of 40 CFR Part 61 (National Emission Standards for Hazardous Air Pollutants)

§5116. Incorporation by Reference of 40 CFR Part 61 (National Emission Standards for Hazardous Air Pollutants)

A. - Table. ...

B. ~~Corrective changes are made to~~ Modifications or Exceptions. The following modifications or exceptions are made to the incorporated federal standards.

1. 40 CFR ~~P~~part 61 ~~S~~subpart A, ~~S~~section 61.04(b)(T); is modified to read as follows: State of Louisiana: Technical Support Section Program Manager, Permits Division, Office of Environmental Services, Louisiana Department of Environmental Quality, Box 82135, Baton Rouge LA 70884-2135 Office of Environmental Services, Permits Division.

2. Whenever the referenced regulations (i.e., 40 CFR Part 61) provide authority to “the Administrator,” such authority, in accordance with these regulations, shall be exercised by the administrative authority or his designee, notwithstanding any authority exercised by the U.S. Environmental Protection Agency (EPA). Reports, notices, or other documentation required by the referenced regulations (i.e., 40 CFR Part 61) to be provided to “the Administrator” shall be provided to the Office of Environmental Services, Permits Division where the state is designated authority by EPA as “the Administrator” or shall be provided to the Office of Environmental Services, Permits Division and EPA where EPA retains authority as “the Administrator.”

C. ~~Copies of documents incorporated by reference in this Chapter are available for review at the Office of Environmental Services, Environmental Assistance Division Information Center, Louisiana Department of Environmental Quality or may be obtained from the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20242 or their website, www.access.gpo.gov/nara/cfr/index.html, the Department of Environmental Quality, Office of Environmental Services, Permits Division, or a public library.~~

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2054.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Air Quality and Radiation Protection, Air Quality Division, LR 23:61 (January 1997), amended LR 23:1658 (December 1997), LR 24:1278 (July 1998), LR 25:1464 (August 1999), LR 25:1797 (October 1999), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:2271 (October 2000), LR 27:2230 (December 2001), LR 28: 995 (May 2002), LR 28:**.

Subchapter C. Incorporation by Reference of 40 CFR Part 63 (National Emission Standards for Hazardous Air Pollutants for Source Categories) as it Applies to Major Sources

§5122. Incorporation by Reference of 40 CFR Part 63 (National Emission Standards for Hazardous Air Pollutants for Source Categories) as it Applies to Major Sources

A. Except as modified in this Section and specified below, National Emission Standards for Hazardous Air Pollutants for Source Categories published in the *Code of Federal Regulations* at 40 CFR Part 63, dated July 1, 2001, ~~and specifically listed in the following table~~ are hereby incorporated by reference as they apply to major sources in the state of Louisiana. Also incorporated by reference is EPA rule entitled “National Emission Standards for Hazardous Air Pollutants for Source Categories: General Provisions and Requirements for Control Technology Determinations for Major Sources in Accordance with Clean Air Act Sections, Sections 112(g) and 112(j),” promulgated on April 5, 2002, in the *Federal Register*, 57 FR 16595-16611.

[Note: Table is being deleted]

| 40 CFR 63 | Subpart/Appendix Heading |
|-----------|---|
| Subpart A | General Provisions |
| Subpart B | Requirements for Control Technology Determinations for Major Sources in Accordance With Clean Air Act Sections, Sections 112(g) and 112(j) |
| Subpart C | List of Hazardous Air Pollutants, Petition Process, Lesser Quantity Designations, Source Category List |
| Subpart D | Regulations Governing Compliance Extensions for Early Reductions of Hazardous Air Pollutants |
| Subpart F | National Emission Standards for Organic Hazardous Air Pollutants From the Synthetic Organic Chemical Manufacturing Industry |
| Subpart G | National Emission Standards for Organic Hazardous Air Pollutants From the Synthetic Organic Chemical Manufacturing Industry for Process Vents, Storage Vessels, Transfer Operations, and Wastewater |
| Subpart H | National Emission Standards for Organic Hazardous Air Pollutants for Equipment Leaks |
| Subpart I | National Emission Standards for Organic Hazardous Air Pollutants for Certain Processes Subject to the Negotiated Regulation for Equipment Leaks |
| Subpart L | National Emission Standards for Coke Oven Batteries |
| Subpart M | National Perchloroethylene Air Emission Standards for Dry Cleaning Facilities |
| Subpart N | National Emission Standards for Chromium Emissions from Hard and Decorative Chromium Electroplating and Chromium Anodizing Tanks |
| Subpart O | Ethylene Oxide Emissions Standards for Sterilization Facilities |
| Subpart Q | National Emission Standards for Hazardous Air Pollutants for Industrial Process Cooling Towers |
| Subpart R | National Emission Standards for Gasoline Distribution Facilities (Bulk Gasoline Terminals and Pipeline Breakout Stations) |

| 40 CFR 63 | Subpart/Appendix Heading |
|------------|--|
| Subpart S | National Emission Standards for Hazardous Air Pollutants from the Pulp and Paper Industry. In Sec. 63.440(d)(1), the requirement is modified to read, "Each kraft pulping system shall achieve compliance with the pulping system provisions of Sec. 63.443 for the equipment listed in Sec. 63.443(a)(1)(ii)–(v) as expeditiously as practicable, but in no event later than December 20, 2004, and the owners and operators shall establish dates, update dates, and report the dates for the milestones specified in Sec. 63.455(b)." |
| Subpart T | National Emission Standards for Halogenated Solvent Cleaning |
| Subpart U | National Emission Standards for Hazardous Air Pollutant Emissions: Group I Polymers and Resins |
| Subpart W | National Emission Standards for Hazardous Air Pollutants for Epoxy Resins Production and Non-Nylon Polyamides Production |
| Subpart X | National Emission Standards for Hazardous Air Pollutants From Secondary Lead Smelting |
| Subpart Y | National Emission Standards for Marine Tank Vessel Loading Operations |
| Subpart AA | National Emission Standards for Hazardous Air Pollutants From Phosphoric Acid Manufacturing Plants |
| Subpart BB | National Emission Standards for Hazardous Air Pollutants From Phosphate Fertilizers Production Plants |
| Subpart CC | National Emission Standards for Hazardous Air Pollutants from Petroleum Refineries |
| Subpart DD | National Emission Standards for Hazardous Air Pollutants from Off-site Waste and Recovery Operations |
| Subpart EE | National Emission Standards for Magnetic Tape Manufacturing Operations |
| Subpart GG | National Emission Standards for Aerospace Manufacturing and Rework Facilities |
| Subpart HH | National Emission Standards for Hazardous Air Pollutants From Oil and Natural Gas Production Facilities |
| Subpart II | National Emission Standards for Shipbuilding and Ship Repair (Surface Coating) |
| Subpart JJ | National Emission Standards for Wood Furniture Manufacturing Operations |
| Subpart KK | National Emission Standards for the Printing and Publishing Industry |

| 40 CFR 63 | Subpart/Appendix Heading |
|-------------|--|
| Subpart LL | National Emission Standards for Hazardous Air Pollutants for Primary Aluminum Reduction Plants |
| Subpart OO | National Emission Standards for Tanks Level I |
| Subpart PP | National Emission Standards for Containers |
| Subpart QQ | National Emission Standards for Surface Impoundments |
| Subpart RR | National Emission Standards for Individual Drain Systems |
| Subpart SS | National Emission Standards for Closed Vent Systems, Control Devices, Recovery Devices, and Routing to a Fuel Gas System or a Process |
| Subpart TT | National Emission Standards for Equipment Leaks Control Level 1 |
| Subpart UU | National Emission Standards for Equipment Leaks Control Level 2 Standards |
| Subpart VV | National Emission Standards for Oil water Separators and Organic water Separators |
| Subpart WW | National Emission Standards for Storage Vessels (Tanks) Control Level 2 |
| Subpart YY | National Emission Standards for Hazardous Air Pollutants for Source Categories: Generic Maximum Achievable Control Technology Standards |
| Subpart CCC | National Emission Standards for Hazardous Air Pollutants For Steel Pickling HCl Process Facilities and Hydrochloric Acid Regeneration Plants |
| Subpart DDD | National Emission Standards for Hazardous Air Pollutants For Mineral Wool Production |
| Subpart EEE | National Emission Standards for Hazardous Air Pollutants from Hazardous Waste Combustors |
| Subpart GGG | National Emission Standards for Pharmaceuticals Production |
| Subpart HHH | National Emission Standards for Hazardous Air Pollutants From Natural Gas Transmission and Storage Facilities |
| Subpart III | National Emission Standards for Hazardous Air Pollutants for Flexible Polyurethane Foam Production |
| Subpart JJJ | National Emission Standards for Hazardous Air Pollutant Emissions: Group IV Polymers and Resins |
| Subpart LLL | National Emission Standards for Hazardous Air Pollutants From the Portland Cement Manufacturing Industry |
| Subpart MMM | National Emission Standards for Hazardous Air Pollutants for Pesticide Active Ingredient Production |

| 40 CFR 63 | Subpart/Appendix Heading |
|-------------|---|
| Subpart NNN | National Emission Standards for Hazardous Air Pollutants for Wool Fiberglass Manufacturing |
| Subpart OOO | National Emission Standards for Hazardous Air Pollutant Emission: Manufacture of Amino/Phenolic Resins |
| Subpart PPP | National Emission Standards for Hazardous Air Pollutants for Polyether Polyols Production |
| Subpart RRR | National Emission Standard for Hazardous Air Pollutants for Secondary Aluminum Production |
| Subpart TTT | National Emission Standards for Hazardous Air Pollutants for Primary Lead Smelting |
| Subpart VVV | National Emission Standards for Hazardous Air Pollutants: Publicly Owned Treatment Works |
| Subpart XXX | National Emission Standards for Hazardous Air Pollutants for Ferroalloys Production: Ferromanganese and Silicomanganese |
| Appendix A | Test Methods |
| Appendix B | Sources Defined for Early Reduction Provisions |
| Appendix C | Determination of the Fraction Biodegraded (Fbio) in a Biological Treatment Unit |
| Appendix D | Alternative Validation Procedure for EPA Waste and Wastewater Methods |

B. Copies of documents incorporated by reference in this Chapter may be obtained from the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20242 or their website, www.access.gpo.gov/nara/cfr/index.html, the Department of Environmental Quality, Office of Environmental Services, Permits Division, or a public library.

C. Modifications or Exceptions. The following modifications or exceptions are made to the incorporated federal standards.

1. Whenever the referenced regulations (i.e., 40 CFR Part 63) provide authority to “the Administrator,” such authority, in accordance with these regulations, shall be exercised by the administrative authority or his designee, notwithstanding any authority exercised by the U.S. Environmental Protection Agency (EPA). Reports, notices, or other documentation required by the referenced regulations (i.e., 40 CFR Part 63) to be provided to “the Administrator” shall be provided to the Office of Environmental Services, Permits Division where the state is designated authority by EPA as “the Administrator” or shall be provided to the Office of Environmental Services, Permits Division and EPA where EPA retains authority as “the Administrator.”

2. In Section 63.440(d)(1) of 40 CFR 63, Subpart S, National Emission Standards for Hazardous Air Pollutants from the Pulp and Paper Industry, the requirement is modified to read, “Each kraft pulping system shall achieve compliance with the pulping system provisions of Section 63.443 for the equipment listed in Section 63.443(a)(1)(ii) – (v), as expeditiously as practicable, but in no event later than December 20, 2004, and the owners and operators shall

establish dates, update dates, and report the dates for the milestones specified in Section 63.455(b).”

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2054.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Air Quality and Radiation Protection, Air Quality Division, LR 23:61 (January 1997), amended LR 23:1659 (December 1997), LR 24:1278 (July 1998), LR 24:2240 (December 1998), LR 25:1464 (August 1999), LR 25:1798 (October 1999), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:690 (April 2000), LR 26:2271 (October 2000), LR 27:2230 (December 2001), LR 28:995 (May 2002), LR 28:**.

Chapter 53. Area Sources of Toxic Air Pollutants

Subchapter B. Incorporation by Reference of 40 CFR Part 63 (National Emission Standards for Hazardous Air Pollutants for Source Categories) as it Applies to Area Sources

§5311. Incorporation by Reference of 40 CFR Part 63 (National Emission Standards for Hazardous Air Pollutants for Source Categories) as it Applies to Area Sources

A. – Table. ...

B. Copies of documents incorporated by reference in this Chapter may be obtained from the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20242 or their website, www.access.gpo.gov/nara/cfr/index.html, the Department of Environmental Quality, Office of Environmental Services, Permits Division, or a public library.

C. Modifications or Exceptions. Whenever the referenced regulations (i.e., 40 CFR Part 63) provide authority to “the Administrator,” such authority, in accordance with these regulations, shall be exercised by the administrative authority or his designee, notwithstanding any authority exercised by the U.S. Environmental Protection Agency (EPA). Reports, notices, or other documentation required by the referenced regulations (i.e., 40 CFR Part 63) to be provided to “the Administrator” shall be provided to the Office of Environmental Services, Permits Division where the state is designated authority by EPA as “the Administrator” or shall be provided to the Office of Environmental Services, Permits Division and EPA where EPA retains authority as “the Administrator.”

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2054.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Air Quality and Radiation Protection, Air Quality Division, LR 23:63 (January 1997), amended LR 23:1660 (December 1997), LR 24:1279 (July 1998), LR 25:1464 (August 1999), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 27:2230 (December 2001), LR 28:995 (May 2002), LR 28:**.